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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,041	06/23/2004	Masaki Okamura	77792/44	5200
23838	7590	07/03/2006	EXAMINER	
KENYON & KENYON LLP 1500 K STREET N.W. SUITE 700 WASHINGTON, DC 20005			COLON SANTANA, EDUARDO	
			ART UNIT	PAPER NUMBER
			2837	

DATE MAILED: 07/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/500,041

Applicant(s)

OKAMURA ET AL.

Examiner

Eduardo Colon Santana

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5,7-9,11,12,14,16-24,26 and 28-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,3-5,7,8,11,12,14,16-22,24,26,28,29,31-34,36 and 37 is/are allowed.
- 6) ☒ Claim(s) 9,23,30 and 35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/5/2006.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: Detailed Action.

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DETAILED ACTION

1. Applicant's response filed on 4/05/2006 have been received and entered in the case.
2. Applicant's response with respect to claims 9, 23, 30 and 35 have been considered but are not persuasive.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 4/05/2006 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 9, 23, 30 and 35 are rejected under 35 U.S.C. 102(b) as being anticipated by Jun Abe et al. JP Document-Identifier No. 09073328 A.

Referring to claim 9, Jun et al. discloses a solar light power generation controller, which uses a voltage conversion device (DC/DC converter) (see all figures and respective portions of the specification). Jun et al. further depicts in figures 1, 5 and 6, a DC/DC converter (4, 24) having a reactor (4a, 24a) for

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temporarily storing energy based on a current discharged from a power source (1-3, 21-23), which also is chargeable, for converting a voltage of the power source into a desired voltage through switching of a switching element (4d, 24d). Furthermore, Jun et al. depicts from figures (1, 5, and 6) a voltage detection circuit (7, 28); a control circuit (6, 26) for applying switching control to the switching element (4d, 24d) so that the detected voltage remains within a predetermined range based on the electromotive voltage of the power source (see par. 0012-0016) and supplied to a load (5, 25).

As to claims 23, 30 and 35, the method steps or computer program are inherent in the product structure of claim 9 above. Further discussion is omitted.

Allowable Subject Matter

5. Claims 1, 3-5, 7, 8, 11, 12, 14, 16-22, 24, 26, 28, 29, 31-34, 36 and 37 are allowed.

Response to Arguments

6. Applicant's remarks in regards to claims 9, 23, 30 and 35 have been fully considered but they are not persuasive.

It is believed that the prior art reference reads on the claims as they have been presented.

In regards to applicant's remarks that Jun fails to disclose that a voltage of a power source is cause to remain within a predetermined range based on the voltage of the power source is not persuasive. On the detailed description of the

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translation document of Jun Abe et al., par. 0012-0016, Jun et al. clearly teaches that the detected voltage is to remain within a predetermined range based on the voltage of the power source (1). In addition figures 1 and 6 clearly depict a detected voltage through a detector (7) based on the electromotive voltage of the capacitor (3), which is part of the power source as detailed in the office action above.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eduardo Colon Santana whose telephone number is (571) 272-2060. The

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examiner can normally be reached on Monday thru Thursday 6:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lincoln Donovan can be reached on (571) 272-2800 X.37. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Eduardo Colon Santana
Examiner
Art Unit 2837

ECS
June 23, 2006


LINCOLN DONOVAN
SUPERVISORY PATENT EXAMINER